



REGULAR COUNCIL MEETING
THURSDAY, JULY 9th, 2020 @ 6:00 p.m.
DOVER CITY HALL, 699 LAKESHORE AVENUE, DOVER

MINUTES

Present: Mayor Davis, Council Brockway, Parkin, Strand and Williams. Staff: Engineer - Jay Hassell, Office Manager – Collins, Clerk – Hutchings

Public Attending: Donald Morris, Marie Forbes and additional callers. Public was encouraged to attend via phone or computer/webinar.

- I. **CALL TO ORDER** Mayor called the meeting to order at 6:00 p.m.
- II. **PUBLIC COMMENT** Public comments received were read into the record and are attached for reference.
- III. **OLD BUSINESS**

1) Waste Water Treatment Plant (WWTP) Paving Project Bids - Hassell gave overview of project. Older Sewell plan was used for last bid @ \$147,000. Hassell did revised bid package, estimates came back much lower even with the additional paving. Council reviewed and determined funds not in 2020 budget however, after auditors provided final savings account figures, balance of sewer savings fund is \$737,755. Money for project could come from savings, not budget. Strand asked for clarification for not to exceed \$80k for Interstate award. Hassell noted \$80k includes \$15k contingency allowance. WSMI in favor of paving plan. **Strand motioned** to award the Waste Water Treatment Plant Paving project to Interstate Asphalt and Concrete with a total project budget not to exceed \$80,000, **2nd by Parkin**. **Roll call vote:** Brockway-Aye, Parkin-Aye, Strand-Aye, Williams-Aye.

2) Budget Setting Fiscal Year 2021 – Approval of draft budget for future public hearing – Savings accounts for each fund based on figures provided by auditors as of 9/30/2019. In future CPA will update quarterly.

General Fund: Council reviewed noting amount in savings account as \$708,036. Income: Avista Franchise fee updated – Total income projected \$587,776. Expenses: Contributions to SPOT bus remain at \$3,000; Treasurer wages increased to \$30,576; Health Insurance decreased per iiiA notification, now \$28,094; Payroll burden figures consistent with Treasurer wage increase – Total expense projected \$587,777. Capital funds carryover \$252,316. All council in favor.

Sewer Fund: Council discussed amount of savings as \$737,755. Income: Other income reduced to \$100; Sewer inspection fees adjusted to \$8,750 to more accurately reflect figure of \$350 per new installation anticipated – Total income projected \$873,416. Expenses: Buildings and Grounds adjusted to \$20,000 as agreed by all council members; Treasurer wages increased to \$6,552; Payroll burden figures consistent with Treasurer wage increase. Capital funds carryover \$318,993. All council in favor.

Street Fund: Savings account balance provided by auditors is \$381,269. Income: no changes – Total income remained at \$211,203. Expenses: CAD mapping increased to \$13,300 allowing for both phase 3 & 4; Engineering services \$28,800 and TAP engineering \$74,000 separated for clarity; Misc. expense \$3,253 to include UATP engineering consulting expense – Total expense projected \$211,203. Capital funds carryover \$61,898. Council in agreement.

Water Fund: Savings account balance provided by auditors is \$28,976. Income: Grant income/DURA adjusted to \$375,000; Water User Fees increased to allow for possible increase of 5% to end users, now projected at \$176,845. Recommendation was for 3%, budgeted for 5% – Total income estimated at \$629,326. Expenses: Capital Expenditure-Shannon Ln. pressure adjusted to \$280,000; Engineering fees/Capital improvements total reflected as \$75,000 of which \$5,000 is for Water Treatment Plant and approximately 20% for Shannon Ln. pressure; Contract Services unchanged with projection at \$77,000; Treasurer wages increased to \$6,552; Payroll burden figures consistent with Treasurer wage increase – Total expense projected \$629,326. Capital funds carryover \$4,661. All council in favor. **Strand motioned** to approve the draft budget as presented for public hearing 8/13/2020 @ 6pm, **2nd by Williams**. **Roll call vote:** Brockway-Aye, Parkin-Aye, Strand-Aye, Williams-Aye.

IV. NEW BUSINESS

1) Proposed Anti-Stalking Ordinance for Discussion - Strand reviewed draft ordinance and the recommended changes that were incorporated. It was agreed that current version does apply to and offer protections to all residents including elected officials. **Brockway motioned** that council approve the draft ordinance as presented with the correction of the section 3 scrivener's error of a) b) b) to a) b) c) notations, and schedule for final approval at public hearing 8/13/2020 @ 6pm, **2nd by Strand**. **Roll call vote:** Brockway-Aye, Parkin-Aye, Strand-Aye, Williams-Aye.

2) Frank Cafferty Independent Contractor Services Agreement - **Strand motioned** council approve the Frank Cafferty Independent Contractor Services Agreement as presented and authorize the Mayor to sign., **2nd by Parkin**. **Roll call vote:** Brockway-Aye, Parkin-Aye, Strand-Aye, Williams-Aye.

3) Proposed Amended Resolution for Vendor Payables - **Parkin motioned** council approve the proposed resolution regarding vendor payables as presented, **2nd by Brockway**. **Roll call vote:** Brockway-Aye, Parkin-Aye, Strand-Aye, Williams-Aye.

4) In and Out Painting bid – Silos at Waste Water Treatment Plant - Mayor explained silos were not included in original estimate. Asked for bid while contractor is finishing up main project in order to obtain favorable pricing and expediate completion. **Brockway motioned** council approve the proposal for painting of the 2 silos at the waste water treatment plant as presented in the July 2, 2020 estimate, **2nd by Strand**. **Roll call vote:** Brockway-Aye, Parkin-Aye, Strand-Aye, Williams-Aye.

V. CONSENT AGENDA – **Brockway motioned** to accept the consent agenda as presented, **2nd by Strand**. All in favor, none opposed.

VI. FUTURE MEETINGS/AGENDA ITEMS – Mayor reviewed items listed on agenda

VII. ADJOURNMENT – **Strand motioned** to adjourn the meeting, **2nd by Parkin**. All in favor. Meeting adjourned at 7:28 p.m.

Respectfully submitted, Michele Hutchings - Clerk

 Reply  Reply All  Forward



Wed 7/8/2020 3:35 PM

Dover Bay Property Owners <dbpropertyownersassociation@gmail.com>

Public Comment to be read in at the July 9th City of Dover Meeting

To Mike Mayor; Dan Dan; tom tom; dvmrb@hotmail.com; John Austin; Mike Mooney; Paul Nowaske; Michele Hutchings
Cc eeldenburg@jasewell.com; John Windju; Donald Morris; dhall@blue541.com; Jay Bredl; John Sletager; Marie Garvey; ralph@sandpointwaterfront.com; Alex Lett



Dover Bay Property Owners Association

PO Box 113 Dover, Idaho 83825 208-263-3083 fax 208-263-0782

Subject: Dura/City of Dover Joint Meeting July 9,2020 Agenda Items Water System Upgrade – Discussion of Pending Projects

Regarding: DBPOA Technical Memorandum

Mayor Davis and City Council Members

Regarding your consideration for the budget and financial issues, the DBPOA has submitted an engineering report regarding the Dover Bay water system. That report shows that with some relatively slight adjustments, the City can resolve the water pressure and fire flow concerns, and can do so for less money than what is currently contemplated. The report was prepared by James A. Sewell & Associates this month. In summary, the report finds:

1. Through utilization of the original approved and technically correct water system elevation at the top of Tank Hill, along with slight adjustment of the Essex Tank water level control settings, the 12" transmission line alternative meets the IDAPA requirement for 40 psi minimum water system pressure under peak hourly demand conditions.
2. The 12" transmission line alternative provides a minimum of 1,500 gpm fire flow and MDD flow at 20 psi minimum pressure throughout the Dover Bay Development.
3. The T-O alternative 2B reduces the allowable fire flow to 1,000 gpm fire flow and MDD flow at 20 psi minimum pressure throughout the Dover Bay Development, and requires the removal of fire hydrant J-88 (top of Tank Hill) from active use. This reduced fire flow does not meet the requirements of the following:
 - A. The Fire Chief at the time of design approval,
 - B. The approved Development Agreement for the Dover Bay Planned Unit Development,
 - C. The DEQ staff at the time of design approval, and or
 - D. The International Fire Code
4. The 12" transmission line alternative is the lower cost alternative when compared through a life cycle cost analysis.
5. Based on the foregoing findings as elaborated in the following analysis, the 12" transmission line alternative is the preferred alternative for meeting minimum flow and pressure requirements at a lower cost as determined through a life-cycle cost analysis.

DBPOA BOARD

 Reply  Reply All  Forward



Wed 7/8/2020 3:41 PM

Alex Lett <alett@doverbayidaho.com>

Public Comment to be read in at the July 9th City of Dover Meeting

To Mike Mayor; Dan Dan; tom tom; dvmrb@hotmail.com; John Austin; Mike Mooney; Paul Nowaske; Michele Hutchings

Cc eeldenburg@jasewell.com; John Windju; Donald Morris; dhall@blue541.com; Jay Bredl; John Sletager; Marie Garvey; Ralph Sletager; Alex Lett



Dover Bay Property Owners Association

PO Box 113 Dover, Idaho 83825 208-263-3083 fax 208-263-0782

Subject: Dura/City of Joint Meeting July 9,2020 Dover Agenda Items Water System Upgrade – Discussion of Pending Projects

Public Comment to be read in at the July 9th City of Dover Meeting:

This comment is on behalf of the Dover Bay Property Owners Association and pertains to the control panel placed on the property of Diane and Don English. Their address is 301 Lakeshore. Because the control panel is above ground, it exceeds the scope of the City's easement (see Bonner County instrument 386736), the Dover Bay Design Guidelines, and City Ordinance No. 41. The Design Guidelines and the Ordinance also both preclude the City from relocating the panel onto a roadway inside the Dover Bay resort because those roads are not City property. The purpose of this comment is to propose a solution.

The DBPOA understands that the City was under the impression that the control panel was required by Division of Building Safety policy 682. That policy, however, only precludes certain applications that are below the electrical datum plane. The underground vault on Englishes' property is not below that plane, so the infrastructure the City placed above ground can actually be below ground. If City believes a portion of the infrastructure might be above the electrical datum plane, it could install an equipotential plane of copper to provide sufficient grounding protection. The electrical inspector has approved such solutions on a number of recent occasions.

If the City intends to add further infrastructure to its electrical system, perhaps now is the time to find a long term solution to the City's needs and the DBPOA's needs. Options might be obtaining an easement from Kubiaks, or placing infrastructure on the portion of Washington Avenue that the developer gave to the City.

Thanks
Alex Lett
Property Manager for the DBPOA

Michele Hutchings

From: Donald Morris <SANDPOINTRANCH@msn.com>
Sent: Wednesday, July 08, 2020 2:23 PM
To: Michele Hutchings
Subject: Comments to be read at July 9, 2020 Dover City Council Meeting

Donald Morris
Dover Bay Property Owners Association, Board Member

Residence
108 Indian Meadows Road
Sandpoint, ID

I request that the City Council consider and eventually improve the Dover City Water System as recommended in the James A. Sewell & Assoc. Technical Memorandum presented to the City July 8, 2020 instead of the T-O Engineering proposed Scenario 2B the Council has discussed implementing.

This Memorandum identifies that with minor changes to the Essex Tank, and the installation of the 12" line The City of Dover and all of it's residents can have a substantially improved domestic water and fire flow system. Further, this alternative will not reduce the firefighting capacity at the top of Tank Hill that the Scenario 2B would result in. This alternative would provide increased domestic water volume, and increase fire flow throughout the City, as well as compliance with the conditions of the water system that were approved by the PUD and Development Agreement of Dover Bay Development by The City of Dover. T-O Engineering's Scenario 2B provides none of those benefits.

Finally, this alternative does all of that at a lower lifetime overall cost than the proposed Scenario 2B.

Will this Council choose to "Get More for Less" with the James A Sewell & Assoc. alternative, or choose Scenario 2B and "Get Less for More"

Thank You for Your Time.

Michele Hutchings

From: Annie <ashaha@sonicarc.com>
Sent: Monday, July 06, 2020 10:34 AM
To: Michele Hutchings
Subject: Anti Harrassment Ordinance
Attachments: 18.13.pdf

Hi,

I appreciate the effort being put into the two ordinances on stalking and harassing. I was wondering if there should be section specific to elected officials. There are several state codes that prohibit this, improper influence, bribery, retaliation, etc. Example below. While these ordinances are a good "general public" start, if you don't specifically address the targeted harassment against elected officials, no one will run for office.

Is there a way to include this in these ordinances? Or, may the city adopt the state codes that address elected official issues?

Thank you for listening.



TITLE 18
CRIMES AND PUNISHMENTS
CHAPTER 13
BRIBERY AND CORRUPTION

18-1353. THREATS AND OTHER IMPROPER INFLUENCE IN OFFICIAL AND POLITICAL MATTERS. (1) Offenses defined. A person commits an offense if he:

- (a) threatens unlawful harm to any person with purpose to influence his decision, opinion, recommendation, vote or other exercise of discretion as a public servant, party official or voter; or
- (b) threatens harm to any public servant with purpose to influence his decision, opinion, recommendation, vote or other exercise of discretion in a judicial or administrative proceeding; or
- (c) threatens harm to any public servant or party official with purpose to influence him to violate his known legal duty; or
- (d) privately addresses to any public servant who has or will have an official discretion in a judicial or administrative proceeding any representation, entreaty, argument or other communication with purpose to influence the outcome on the basis of considerations other than those authorized by law.

It is no defense to prosecution under this section that a person whom the actor sought to influence was not qualified to act in the desired way, whether because he had not yet assumed office, or lacked jurisdiction, or for any other reason.

(2) Grading. An offense under this section is a misdemeanor unless the actor threatened to commit a crime or made a threat with purpose to influence a judicial or administrative proceeding, in which cases the offense is a felony.

History:

[18-1353, added 1972, ch. 381, sec. 20, p. 1102.]

How current is this law?

Search the Idaho Statutes and Constitution